

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DISTRICT

In Re Flint Water Cases

No: 5:16-cv-10444-JEL-MKM
(Consolidated)
Hon. Judith E. Levy

Lee-Ann Walters,

Plaintiffs,

No: 5:17-10164-JEL-MKM

-vs-

City of Flint, et. al.

Defendants.

/

ANSWER OF DEFENDANT LEO A. DALY COMPANY TO PLAINTIFFS'
MASTER SHORT FORM COMPLAINT [#192-1], AFFIRMATIVE DEFENSES
AND JURY DEMAND

NOW COMES Defendant Leo A. Daly Company, and for its Answer to the Master Short Form Complaint [#192-1] filed by Plaintiffs in this matter on January 7, 2019, state as follows:

1. This Short Form Answer is filed on behalf of Defendant Leo A. Daly Company. Defendant incorporates by reference their Answer to Plaintiffs' Amended Master Long Form Complaint, Affirmative Defenses and Jury Demand filed herewith on or about September 10, 2019, [Docket 254] as though set forth herein word for word.

2. Defendant Leo A. Daly Company incorporates by reference their Answer to Plaintiffs' Amended Master Long Form Complaint, Affirmative Defenses and Jury Demand [Docket 254] filed herewith on or about September 10, 2019, as though set forth herein word for word. The Court has dismissed all claims of Plaintiffs asserting joint and several liability.

3. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

4. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

5. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

6. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

7. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

8. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

9. Defendant Leo A. Daly Company is without knowledge or information sufficient to form a belief as to the truth of the matter asserted, and, therefore, neither admits nor denies but leaves Plaintiffs to their proofs.

10. All claims against Defendant Leo A. Daly Company have been withdrawn or dismissed, other than Count IX for Professional Negligence. Defendant Leo A. Daly Company denies Plaintiffs' claim of Professional Negligence against it. Defendant Leo A. Daly Company incorporates by reference its Answer to all of the factual allegations and to Count IX of their Answer to the Master Long Form Complaint [Docket 254] as though set forth herein word for word.

11. The matter in ¶ 11 is an instruction to which no answer is required.

12. No additional claims are pled, and no answer is required.

13. No additional claims are pled, and no answer is required.

14. No additional claims are pled, and no answer is required.

WHEREFORE, Defendant Leo A. Daly Company prays for relief as set forth in its Answer to Plaintiffs' Amended Master Long Complaint.

AFFIRMATIVE DEFENSES AND JURY DEMAND

Defendant Leo A. Daly Company incorporates by reference its Affirmative Defenses and Jury Demand filed with their Master Answer [Docket 254] in this matter on September 10, 2019, as though set forth herein word for word.

Respectfully submitted,

/s/ Wayne B. Mason

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CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2019, I electronically filed Answer of the Defendant Leo A. Daly Company to Plaintiffs' Master Short Form Complaint [#192-1], Affirmative Defenses and Jury Demand with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

By: /s/ Philip A. Erickson

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